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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

CRESTLLOYD, LLC,

Debtor and Debtor in Possession.

Case No.: 2:21-bk-18205-DS

Chapter 11 Case

USDC Appeal Case No.: 2:22-CV-02487-MEMF

**APPELLANT'S AMENDED STATEMENT OF
ISSUES TO BE PRESENTED IN PROTECTIVE
CROSS-APPEAL**

Appeal Docket Entry No.: 275

1 Crestlloyd, LLC, the debtor and debtor in possession in the above referenced bankruptcy case
2 and the appellant in the above referenced cross-appeal (the “Debtor” or “Appellant”), pursuant to
3 Federal Rule of Bankruptcy Procedure Rule 8009(a)(2), hereby submits the following issues to be
4 presented in Appellant’s protective Cross-Appeal of the *Order Granting Debtor’s Motion for an*
5 *Order: (1) Approving the Sale of Debtor’s Real Property Free and Clear of all Liens, Claims,*
6 *Encumbrances, and Interests, with the Exception of Enumerated Exclusions; (2) Finding that the*
7 *Buyer is a Good Faith Purchaser; (3) Authorizing and Approving the Payment of Certain Claims from*
8 *Sale Proceeds; (4) Waiving the Fourteen-Day Stay Period Set Forth in Bankruptcy Code Section*
9 *6004(h); and (5) Providing Related Relief* [Dkt. 247] entered March 28, 2022:

10 (1) Whether the Bankruptcy Court erred in finding that the Debtor could not sell its
11 real property free and clear of liens, claims, and interests pursuant to 11 U.S.C. § 363(f)(1).

12 (2) Whether the Bankruptcy Court erred in finding that the Debtor could not sell its
13 real property free and clear of liens, claims, and interests pursuant to 11 U.S.C. § 363(f)(2) as to all
14 alleged secured creditors, other than Hankey Capital, LLC, which affirmatively consented to the sale.

15 (3) Whether the Bankruptcy Court erred in finding that the Debtor could not sell its
16 real property free and clear of liens, claims, and interests pursuant to 11 U.S.C. § 363(f)(4) as to certain
17 alleged secured creditors.

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19 Dated: April 28, 2022

LEVENE, NEALE, BENDER, YOO
& GOLUBCHIK L.L.P.

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21 By: /s/ Todd M. Arnold
22 DAVID B. GOLUBCHIK
23 TODD M. ARNOLD
24 JONATHAN D. GOTTLIEB
25 Attorneys for the Debtor and
26 Debtor in Possession
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 2818 La Cienega Avenue, Los Angeles, CA 90034

A true and correct copy of the foregoing document entitled **APPELLANT'S AMENDED STATEMENT OF ISSUES TO BE PRESENTED IN PROTECTIVE CROSS-APPEAL** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 28, 2022**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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1 **2. SERVED BY UNITED STATES MAIL:** On **April 28, 2022**, I served the following persons and/or
2 entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true
3 and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and
addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be
completed no later than 24 hours after the document is filed.

4 ☒ *Service information continued on attached page*

5 **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR**
6 **EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR,
on **April 28, 2022**, I served the following persons and/or entities by personal delivery, overnight mail
7 service, or (for those who consented in writing to such service method), by facsimile transmission and/or
email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight
mail to, the judge will be completed no later than 24 hours after the document is filed.

8 ☐ *Service information continued on attached page*

9 I declare under penalty of perjury under the laws of the United States of America that the foregoing is
10 true and correct.

11 April 28, 2022
Date

Lourdes Cruz
Type Name

/s/ Lourdes Cruz
Signature

In re Crestlloyd, LLC
File No. 9562

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